



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 17675 of 2026
& CMP No. 11778 & 11780 of 2026**

Mani
S/o Rajendran,
D.No.163, Attroram Salai,
Thirunagar,Jaffarkhan Pettai,
Chennai-83

..Petitioner(s)

Vs

1. The State rep by Inspector of police
Padalam police station, Chengalpattu District
2. Saratha
W/o Thangapandi, Kakkan Nagar, Dindigul
Now residing at Sivan Kovil Street, Mamandur
Village,
Maduranthangam Taluk, Chengalpattu

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 528 of BNSS, praying to call for the records in connection with the CC.No.286 of 2024 on the file of the Learned Judicial Magistrate No.II, Madurantakam and quash the same.

For Petitioner(s):

Mr. M.Dinesh Sharma

For Respondent(s):

Mr. M. Mohamed Riyaz

Government Advocate (Crl. side)



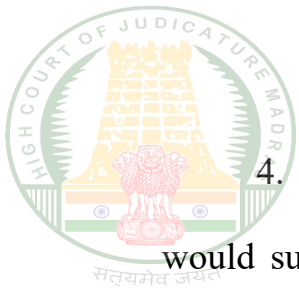
ORDER

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This Criminal Original Petition has been filed seeking to call for the records in connection with the CC.No.286 of 2024 on the file of the Learned Judicial Magistrate No.II, Madurantakam and quash the same.

2. The allegation in the case is that the petitioner, being the accused, drove the Ashok Leyland load vehicle bearing Registration No. TN40 J 4269 in a rash and negligent manner and dashed against the pedestrian, Vellimalai @ Thangapandi, causing his death. As such, a case was registered in Crime No. 338 of 2017, and after investigation, the final report was filed and cognizance was taken for the offences under Sections 279 and 304-A of the IPC.

3. The learned counsel seeks quashing of the final report on two grounds. Firstly, the allegation of rash and negligent driving is not categorically established by the materials produced on behalf of the prosecution. Secondly, even though the occurrence took place in the year 2017 and the charge sheet was also filed in the year 2017, the trial has not even commenced till date, and the petitioner has been attending the case for the past eight years.

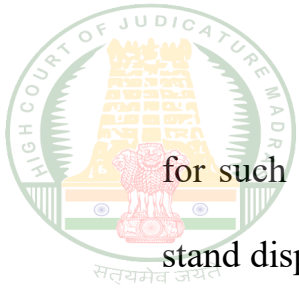


4. The learned Government Advocate (Crl. Side), on the other hand, would submit that the statements made by the listed witnesses and the other materials, in the form of the rough sketch, etc., constitute valid materials to prosecute the petitioner. The trial may be directed to be commenced and completed in a time-bound manner in order to alleviate the second grievance of the petitioner.

5. I considered the rival submissions and perused the materials available on record.

6. On perusal of the statements of the listed witnesses and the other materials, I cannot say that there is no material at all even to proceed with the trial, as alleged by the petitioner. As far as the second grievance is concerned, a direction can be issued to the Trial Court to expedite the trial, as the occurrence is of the year 2017 and the petitioner has been attending the Court from the year 2018, and we are now in the year 2026. In view thereof, this Criminal Original Petition is disposed of on the following terms:

i. The prayer to quash the final report in C.C. No. 286 of 2024 stands negatived. There shall be a direction to the learned Judicial Magistrate No. II, Madhuranthagam, to complete the trial as expeditiously as possible, in any event, not later than four months from the date of receipt of the web copy of this order. The personal appearance of the petitioner before the Trial Court, except



for such hearings at which the Trial Court may insist upon his presence, shall stand dispensed with. Pending petition, if any, is closed.

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Neutral Citation: Yes/No

PBL

To

1. The Judicial Magistrate No.II, Madurantakam.
2. The Inspector of police
Padalam police station, Chengalpattu District.
3. The Public Prosecutor, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

PBL

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